

## ***Chapter 11***

# **Light, Glare, and Aesthetics**

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# Chapter 11

## Light, Glare, and Aesthetics

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### 11.1 Primary Issues

**Comment O-1.410**

11.1 p. 11-1 This section fails to address the major issue and the major unavoidable adverse impact of the permanent removal of a large section of Maury Island. Please address this issue as part of this section of the EIS.

Ortman, David

**Response**

Section 11.3.1 has been revised to discuss the major changes in topography that would result from removing approximately 60.5 million yards of material from the site. The physical removal of minerals is also described in Chapter 2, and remains unchanged from the DEIS.

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### 11.2 Affected Environment

**Comment 11.2.3**

It is not clear how the “disturbances” caused by “pedestrians, horseback riders and bicyclists” should be considered in evaluating aesthetic changes associated with the proposed operation.

Kuperberg, J. Michael, Ph.D.

**Response**

In response to this comment, the FEIS text describes these and other visible and audible features of the area as “observable features and activities.”

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### 11.3 Impacts

#### Cultural Resources

**Comment**

In a brief examination of the Lone Star draft EIS, I noted no mention of potential impacts to cultural resources in areas where Lone Star proposes to start new excavations. While I would not

expect impacts in areas where mining has already taken place, I am concerned about areas where there has been no mining activity. Is it known that there are no prehistoric and historic resources in these areas? Have these areas been examined by archaeologists with qualifications as principal investigators under 36CFR800? Or, perhaps, do EIS reports not require examination of impacts to cultural resources? And, if impacts to cultural resources are anticipated, how are these to be reviewed by King County cultural resources staff or by staff of the State Historic Preservation Office in Olympia?

Chattey, Paul

**Response**

No cultural resources are known to be present, nor were cultural resources identified in scoping comments.

### **11.3.1 What aesthetic changes would occur in the character of the existing landscape on the mine site?**

#### ***Changes in Topography***

**Comment O-1.411**

11.3.1 p. 11-3. Apparently, Jones & Stokes would prefer to focus on the “edge” effect of “textures” rather than acknowledge that a significant portion of Maury Island is slated to disappear from Puget Sound. Clearly King County must find another consultant to prepare DEIS, since Jones & Stokes has failed to even note the biggest visual and aesthetic impact of all.

Ortman, David

**Comment O-1.415**

11.4.3 and 11.4.4 p. 11-10. Both these sections must acknowledge the significant adverse impacts from the permanent removal of a large portion of a small Puget Sound island. Please add this to these sections.

Ortman, David

**Response**

Topographic changes are included in the EIS (Section 11.3.1). The project description and the proposed final site contours are included in Chapter 2. Obviously, a large amount of the sand and gravel present at the site would be removed. However, the overall land area of Maury Island would not change.

### ***Changes in Surface Cover***

***Comment***

Table S10 Section entitled “Visual contrasts in the landscape” Not only would the 64 acre portion being worked be “void of vegetation”, but for 5-20 years, the previous 64 acre site would also be less than fully revegetated. Depending on the rate of removal, much of the site could be visually impacted by the end of the mining operation.

Kuperberg, J. Michael, Ph.D.

***Response***

The EIS has been revised to include the effect of mining rate on visual impacts (see Section 11.3.1). If mining were to occur rapidly, then essentially all of the mining area would be visibly altered. On the other hand, with rapid mining, the vegetation component of the visual character of the site would recover much faster than if mining were conducted over decades.

One major fact bearing on the magnitude of visual impacts is that project impacts on views would be changes in view *of the site itself*, and would not block or eliminate other views.

Most people who would see the site also have expansive views of Puget Sound, and these views dominate views from most homes. As can be seen in Figures 11-5 and 11-6, almost all of the homes in Sandy Shores and Gold Beach are oriented toward the water and not toward the site. These water views, which are typically the most valued, would not be affected by the project. Viewers from Upper Sandy Shores (Figure 11-4) would see the barge against a backdrop of water within the foreground. However, most views of the dock and loading would be framed against the background of the site or of the opposite developed community.

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### ***Changes in Views from across Puget Sound***

***Comment***

2 (of 22) Please note that Redondo, Dash Point and other water front communities will be impacted aesthetically and by cross sound noise. The noise and aesthetic discussions in the Draft EIS does not properly analyze (Chapters 7 and 11/12) the impacts to these communities. I was contacted today by a woman living north of the Redondo area who had just found out about the proposed expansion. She discussed the mining from the 1970's and how clearly the sound traveled to cross sound communities, and how the horrible noise from the barge loading prevented sleep. We are not just talking about island impacts, but regional impacts, please

correct the DEIS.  
Nelson, Sharon K.

**Response**

Based on the analysis and evidence presented in the EIS, noise would not significantly affect off-island residents. The analysis showed that noise would not exceed regulatory standards at nearby residences (see Chapter 7). Since sound decreases with distance, it follows that noise would not exceed standards at residences across Puget Sound. In the absence of substantial evidence to the contrary, this conclusion has not been revised in the FEIS.

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**Comment C-8.096**

(part 1 of 2). #96a. The first full paragraph of this page describes how the project would be viewed from across the sound stating that “long-term topographical changes would be visible although not obvious”. How this conclusion is reached is a wonder. The highest visible promontory in this vicinity will be reduced to 50’ above sea level. This will be a drastic change in the topography and will be obvious to even the most inattentive. Please provide further discussion of same and a discussion of which communities cross Sound will be most impacted. Please notify those communities.

Vashon-Maury Island Community Council

**Comment O-1.416**

Aesthetic Changes/Proposed Action: This section states that views of the site from across Puget Sound would change and that long-term topographical changes would be visible but not intrusive. This is completely inaccurate. On the contrary, the removal of up to 10% of Maury Island would have a significant unavoidable adverse impact to views of the site from across Puget Sound. Please revise this section to note this dramatic change.

Ortman, David

**Response**

In response to these and other comments, Section 11.3.1.1 has been revised to include a more detailed description of topographic changes that would occur.

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**Analysis Method**

**Comment C-8.096**

(part 1 of 2). #96b. A three-dimensional representation of the finished site from several points of view should be available. The Aerial Photographs with their border markings are not as representational and are difficult to assess. The lack of the three-

dimension representation is a serious flaw.  
Vashon-Maury Island Community Council

**Comment O-1.412**

The aerial photos in Figure 11-1, 11-2, and 11-3 do not portray the actually extent of impact on Maury Island from the removal of such a large quantity of material. Please prepare a picture of Maury Island showing the before and after impacts of the proposed action.

Ortman, David

**Response**

Three-dimensional simulations of the topographic changes at the site due to large-scale mining were added to the FEIS (Figures 11-9 through 11-11).

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***Changes in Property Value***

**Comment I-21.016**

What about views from neighboring areas or from across the water? What would be the compensations for these things?

Baker, Alby

**Comment I-2.028**

Homes on the mainland have a higher assessed value due to the view ... who is going to mitigate their loss of scenic view ...?

Clark, Rose

**Response**

Views are subject to change according to land use designations. Views of lands owned by other people are not necessarily “owned” by the viewers. For example, in downtown Seattle, many people have paid high prices for view condominiums, only to have new, higher buildings block their view. While this is unfortunate, the developers were not obligated to “mitigate” for blocking views, since the sites were zoned to allow high-rise buildings.

While the mine site may be visible, it is not the entire view of residents on the Island or off. The site is merely a part of the view. People who can see the site would still have commanding views of Puget Sound and other areas. The site would not block any views, and the impact would be changes in views of the mine site itself.

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**Comment I-15.007**

Property value; our homes will ... lose values during the process as well as after ...

Skeffington, Beverly

**Comment I-16.004**

... the mine would be incredibly ugly and would wreck the aesthetic quality of the area thereby destroying property values ...

Does the vitality and economic well being of the community surrounding the proposed project site have any value?  
Berry, Evan

**Comment I-6.030**

What evaluations of the potential effects of the project on property values in the project vicinity have been completed?  
Gorski, Alan

**Comment I-21.015**

What are the effects on real estate values of adjacent properties?  
Baker, Alby

**Response**

Property values are not a consideration under SEPA, although the evidence available suggests that property values would not be significantly affected (see Comments and Responses to Chapter 9, Land Use).

### **11.3.2 How would the reintroduction of barging affect the visual environment?**

**Comment I-7.044**

What about light pollution of the night sky? Will the glare be visual to local residents?  
Meyer, Michael

**Response**

Yes, people would see light from the dock and from tugs. Lights on the dock would be fitted with glare-reducing shields.

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## **11.4 Adverse Impacts and Mitigation**

### **11.4.1 Significance Criteria**

No comments were received that specifically address this section.

### **11.4.2 Measures Already Proposed by the Applicant or Required by Regulation**

**Comment**

11.9.5 Is the current minimal restoration within the requirements of the State of Washington?  
Kuperberg, J. Michael, Ph.D.

**Response**

Restoration is within the jurisdiction of the WDNR, under the authority of the Washington State Surface Mining Act. King County can apply restoration requirements per SEPA substantive

authority, if such requirements are necessary to mitigate a specific adverse impact.

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**Comment O-1.414**

11.4.1.2 p. 11-9. It states that under current mining levels, there would be little to no reclamation. Please explain how the current mining levels are in compliance with the existing mining reclamation plan.

Ortman, David

**Response**

The existing reclamation plan is relatively undefined. The site has been relatively inactive in recent years, and such inactivity typically reduces the scrutiny placed on restoration. In low-profile sites, restoration is sometimes not considered until major problems arise or until the site is being closed.

### **11.4.3 Remaining Adverse Impacts and Additional Measures**

No comments were received that specifically address this section.

## **11.5 Cumulative Impacts**

No comments were received that specifically address this section.

## **11.6 Significant Unavoidable Adverse Impacts**

**Comment C-8.097**

11 4 4 #97. In its letter commenting on the DuPont DEIS, the Nisqually Delta Association observed “This board has previously recognized aesthetics as providing grounds for vacating a permit for a road and boat launching ramp at a natural shoreline fronting Hood Canal (McCann et al vs Jefferson County).” This is quoted to reflect the importance aesthetics may have on administrative/ judicial decisions concerning land use. The letter continued, “The aesthetic intrusions of this project on the water are significantly underestimated. The only mitigation mentioned is to have downward directed light fixtures. It also incorrectly states that the shoreline structures and activities would only be visible from the water or lands adjacent to the site.” Again, please provide information fully analyzing same. In contrast to the DuPont site, the Maury Island site is totally open to view from any of several viewpoints as is represented in the aerial photographs. The proposed 200’ buffer along the shoreline would provide no



protection against viewing the mining operations because the center of the pit is already just above the high tide level. Leaving the buffers along the edges of the mine is required by state law, but will provide little if any relief from the visual impacts of the mine. Please note this.

Vashon-Maury Island Community Council

**Comment C-8.014**

The site will continue to be visible from many different locations. Nothing can be done to hide or conceal the mining process. If approved, this site will have a serious negative impact on a significant portion of the Puget Sound population. Please so indicate in the EIS.

Vashon-Maury Island Community Council

**Response**

Being visible does not categorically indicate a significant adverse impact. There is no question that mining activity would be visible from many locations, as described in the EIS. This is not desirable to many people, but it is not necessarily sufficiently undesirable as to justify an outright denial of otherwise legal activities at the site.

The visual impact must be evaluated within the visual context in which it is occurring. Development along the shores of Puget Sound, including Vashon/Maury Island, is commonplace. The communities of Gold Beach and Sandy Shores are also visible from many locations, as is the existing mining area. The visual changes at the site that would occur from the Proposed Action must be considered within the context of these visual features in the immediate vicinity. Based on these considerations, the overall visual change on the site would not be as dramatic as indicated in the comments. People could see the mine, if they looked for it, but this would not have major ramifications for the lives of a significant portion of the Puget Sound population.

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**Comment I-1.040**

... loss of aesthetics and quality of life- shaped by the mismatch between the scale of the proposed action and the irreplaceable island landscape- may be the most compelling reason of all to deny this project.

Shipley, Frank

**Response**

Your comment and opposition to the project are noted.

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**Comment I-2.012**

If not every resident of King County needs to fear that the intensity of property use could drastically change anywhere and that the

community would be that last consideration in the process.  
Clark, Rose

**Response**

Intensity of property use does change. The Growth Management Act was intended to identify and appropriately locate different types of development. Zoning designations provide a similar function. The site has been an operating mine for many decades and is currently zoned Mining and designated as a mineral resource site in the Comprehensive Plan. With such designations and previous use, and the high demand for and value of sand and gravel in our growing region, a mining proposal for the site is not all that unusual.

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**Comment I-21.014**

Is there an aesthetic that is not lost to large scale mining such as this?

Baker, Alby

**Response**

Yes. Views of Puget Sound and Mount Rainier would not be lost.

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**Comment C-8.013**

Fencing the site is a requirement under Title 21A. Please discuss the fencing plans, and its visual/aesthetic/safety features as a significant unavoidable adverse impact (see also 2.2.3).

Vashon-Maury Island Community Council

**Response**

The Applicant would install chain-link fence as necessary to limit access and comply with King County Code.

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